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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/788,870	02/27/2004	Vadim Fux	555255012558	7232
24325	7590	08/15/2008	EXAMINER	
PATENT GROUP 2N			PATEL, MANGLESH M	
JONES DAY				
NORTH POINT			ART UNIT	PAPER NUMBER
901 LAKESIDE AVENUE				2178
CLEVELAND, OH 44114				
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		08/15/2008		PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/788,870	FUX ET AL.	
	Examiner	Art Unit	
	MANGLESH M. PATEL	2178	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 6/24/2008.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 24-42 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 24-42 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ . | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. This Final action is responsive to the response filed on 6/24/2008.
2. In the response claims 24-42 are pending. Claims 24, 31, 34 and 40 are the independent claims

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 24-29, 31-32, 34-38 and 40-14 remain rejected under 35 U.S.C. 102(b) as being anticipated by Flowers, Jr. (U.S. 5,533,174, filed Oct 26, 1993).

Regarding Independent claim 24, A method performed by a server, comprising: (i) storing a font capabilities list for each of multiple client devices, each font capabilities list comprising a list of fonts for which the device has font structure data, the font structure data defining the structure in which text formatted with the respective font is to be rendered; (ii) receiving text data addressed to a designated one of the devices, the text data comprising text and font identifiers, the font identifiers identifying which fonts to use to render the text; (iii) comparing the font identifiers in the text data with the fonts in the capabilities list of the designated device, to determine the font identifiers for which the designated device lacks font structure data; (iv) transferring the lacking font structure data and the text data to the designated device.

Flower teaches a server that includes a property list which includes font capabilities for client devices (see abstract column 4, lines 50-67 & column 5, lines 1-25). The font server performs all the necessary rendering calculations and manipulations using the fonts, furthermore translating the fonts to a compatible format based on the client devices capabilities/requirements. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Also showing that the list is used and compared against the device requirements/capabilities.

Regarding Dependent claim 25, with dependency of claim 24, Flower discloses permanently storing the received font structure data in the client device (see abstract, column 2, lines 50-67 & column 3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Dependent claim 26, with dependency of claim 24, Flower discloses the server receives the text data along with attendant font structure data required to render the text data, and, in step iv, the server operatively refrains from transferring the attendant font structure data to the device in response to determining in the comparing step that the device already has the attendant font structure data (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Dependent claim 27, with dependency of claim 24, Flower discloses requesting and receiving the lacking font structure data from a third part server (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Dependent claim 28, with dependency of claim 24, Flower discloses determining whether any of the font identifiers in the received text data that are not found in the font capabilities list of the designated device have equivalent counterparts that are found in the font capabilities list of the designated device (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Dependent claims 29, 32, 38 and 41, with dependency of claim 24, Flower discloses further comprising a step, performed before step (i), of receiving a list of client font capabilities from each of the client devices (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Independent claim 31, A method comprising the following steps performed by a server in the following order: (i) storing a font capabilities list for each of multiple client devices, each font capabilities list comprising a list of fonts for which the device has font structure data, the font structure data defining the structure in which text formatted with the respective font is to be rendered; (ii) receiving text data addressed to a designated one of the devices, the text data comprising text and font structure data for rendering the text; (iii) determining, from the stored capabilities list for the designated device, whether the device already has the font structure data; and (iv) transferring the text to the device, and operatively refraining from transferring the font structure data to the device in response to determining, in step iii, that the device already has the font structure data.

Flower teaches a server that includes a property list which includes font capabilities for client devices (see abstract column 4, lines 50-67 & column 5, lines 1-25). The font server performs all the necessary rendering calculations and manipulations using the fonts, furthermore translating the fonts to a compatible format based on the client devices capabilities/requirements. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Also showing that the list is used and compared against the device requirements/capabilities.

Regarding Independent claim 34, A method comprising the following steps performed by a server in the following order: (i) storing a font capabilities list for each of multiple client devices, each font capabilities list comprising a list of fonts for which the device has font structure data, the font structure data defining the structure in which text formatted with the respective font is to be rendered; (ii) receiving text data addressed to a designated one of the devices, the text data comprising text and font identifiers, the font identifiers identifying which fonts to use to render the text; (iii) determining which of the text data's font identifiers is not found in the designated device's font capabilities list; (iv) determining whether another font identifier exists that is the same as said not found font identifier; and (v) transferring the text data to the designated device.

Flower teaches a server that includes a property list which includes font capabilities for client devices (see abstract column 4, lines 50-67 & column 5, lines 1-25). The font server performs all the necessary rendering calculations and manipulations using the fonts, furthermore translating the fonts to a compatible format based on the client devices capabilities/requirements. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Also showing that the list is used and compared against the device requirements/capabilities.

Regarding Dependent claim 35, with dependency of claim 34, Flower discloses wherein step iv includes determining whether another font identifier exists in the designated font capabilities list that is the same as said not found font identifier (see abstract, column 2, lines 50-67 & column 3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Dependent claim 36, with dependency of claim 34, Flower discloses wherein step iv includes determining whether the server has font structure data for said another font identifier, and step V includes transferring said font structure data for said another font identifier to the designated device (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Dependent claim 37, with dependency of claim 34, Flower discloses wherein step iv includes determining whether another server has font structure data for said another font identifier, and obtaining said font structure data from said other server, and step v includes transferring said font structure data for said another font identifier to the designated device (see abstract, column 2, lines 50-67 & column3, lines 1-50 & column 4, lines 50-67 & column 5, lines 1-25 & fig 2, including the explanation provided in the Independent claim).

Regarding Independent claim 40, A method comprising the following steps performed by a server in the following order: (i) storing a font capabilities list for each of multiple client devices, each font capabilities list comprising a list of fonts for which the device has font structure data, the font structure data defining the structure in which text formatted with the respective font is to be rendered; (ii) receiving text data addressed to a designated one of the devices, the text data comprising text and font identifiers, the font identifiers identifying which fonts to use to render the text; (iii) determining which of the text data's font identifiers is not found in the designated device's font capabilities list; (iv) requesting and receiving font structure data for said not found font identifier from another server; and (v) transferring both the text data and the font structure data for said not found font identifier to the designated device.

Flower teaches a server that includes a property list which includes font capabilities for client devices (see abstract column 4, lines 50-67 & column 5, lines 1-25). The font server performs all the necessary rendering calculations and manipulations using the fonts, furthermore translating the fonts to a compatible format based on the client devices capabilities/requirements. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Also showing that the list is used and compared against the device requirements/capabilities.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this

Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 30, 33, 39 and 42 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Flowers, Jr. (U.S. 5,533,174, filed Oct 26, 1993) further in view of Adler (U.S. 7,155,672, filed May 23, 2000).

Regarding Dependent claims 30, 33, 39 and 42, wherein the client devices are wireless mobile communication devices.

Flower teaches a server that includes a property list which includes font capabilities for client devices (see abstract column 4, lines 50-67 & column 5, lines 1-25). The font server performs all the necessary rendering calculations and manipulations using the fonts, furthermore translating the fonts to a compatible format based on the client devices capabilities/requirements. Flower describes receiving text data addressed to a device which include text and font identifiers (see column 5, lines 5-15). Also showing that the list is used and compared against the device requirements/capabilities. Flower fails to explicitly teach that the client devices include wireless mobile communication devices. Adler teaches display and support for fonts on mobile devices (see abstract, fig 1, column 3, lines 35-67 & column 4, lines 1-15). At the time of the invention it would have been obvious for the skilled artisan to have implemented the teachings of Flower into the system of Adler, because both are from the same field of endeavor for displaying and supporting fonts on devices. The motivation for doing so would have been to reduce processing time of mobile devices by implementing the font communication server of Flower with Adler.

It is noted that any citation [[s]] to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. [[See, MPEP 2123]]

Response to Arguments

7. Applicant's arguments filed 6/24/2008 have been fully considered but are not persuasive.

Applicant Argues: The cited Flowers patent does not teach or suggest the step of “transferring the lacking font structure data and the text data to the designated device,” as recited in claim 24, or the step of “transferring both the text data and the font structure data for said not found font identifier to the designated device”, as recited in claim 40. (pg 8, paragraph 3)

The font server described in the Flowers patent does NOT, however provide any new front structure data to the workstation or printer to enable them to render text that would not otherwise be supported. (pg 8, paragraph 4)

The Examiner Respectfully disagrees: The FAF server sends font-related information such as font structure data (column 3, lines 40-52), furthermore handling all rendering calculations and manipulations that includes both the font and the requested data, such as characters/text (see abstract). Therefore the server transfers the lacking font structure data and the text data to the client device. The client would obviously be lacking the font structure thereby placing the request in the first place. The font server already provides new font structure or customized fonts to the client to enable them to render text that would not otherwise be supported by the client device (see column 7, lines 5-20).

Applicant Argues: The Flowers patent does not teach or suggest the step of “transferring the test to the device, and operatively refraining from transferring the font structure data to the device in response to determining, in step iii, that the device already has the font data structure”. (pg 9, paragraph 2)

The Flowers patent does not teach or suggest the step of “determining whether another font identifier exists that is the same as said not found font identifier.” (pg 10, paragraph 1)

The Examiner Respectfully disagrees: The FAF font server and the client device communicate using name-identifiers for various characters and property lists (see column 12, lines 15-67). The name-identifiers and property lists are used by the client device to request a font from the FAF, thus if the device already contains the front structure data then the server's list avoids sending the font structure because such would not be defined in the list, thereby processing only the request and thereby minimizing network traffic. Furthermore the FAF determines if another font identifier exists that is

the same as the missing font identifier within the list based on the printing and display requirements, this way the FAF already knows by checking its font identifier list which font identifiers are missing in the client's request.

It is not necessary that the references actually suggest, expressly or in so many words the changes or improvements that applicant has made. The test for combining references is **what the references as a whole would have suggested** to one of ordinary skill in the art. In re Scheckler, 168 USPQ 716 (CCPA 1971); In re McLaughlin 170 USPQ 209 (CCPA 1971); In re Young 159 USPQ 725 (CCPA 1968).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manglesh M. Patel whose telephone number is (571) 272-5937. The examiner can normally be reached on M, W 6 am-3 pm T, TH 6 am-2pm, Fr 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen S. Hong can be reached on (571) 272-4124. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Art Unit: 2178

Manglesh M. Patel
Patent Examiner
August 12, 2008

/Manglesh M Patel/
Manglesh Patel
Examiner, Art Unit 2178

	/CESAR B PAULA/ Primary Examiner, Art Unit 2178
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